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EXAMINER

TRAN, ELLEN C

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 10/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/853,770

Applicant(s)

SHIGEMATSU ET AL.

Examiner

Ellen C. Tran

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-93 is/are pending in the application.
- 4a) Of the above claim(s) 51-84 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4--50, and 83-93 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>AUG'06 & MAY'06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communication: filed on *18 August 2006* with an original application filed 11 May 2001, with acknowledgement of foreign priority date 12 January 2001.
2. Claims 1-2, 4-93 are currently pending in the application. Claims 1, 10, 21, 25, 29, 33, 37, 44, 51, 52, 61, 64, 71, 72, 75, 76, 79, and 80 are independent claims. Claims 51-82 are withdrawn. Claims 1-2, 4-50, 83-93 are amended, claim 3 has been cancelled, amendments to the claims are accepted.

Information Disclosure Statement

3. The IDS submitted 18 August 2006 and 26 May 2006 has been considered, it is noted that the foreign patents only contained the abstract in English; therefore only the abstracts were considered.

Objections

4. The amendment to the claims filed on 18 August 2006 does not comply with the requirements of 37 CFR 1.121(c) because the applicant needs to place deleted text of five or less characters in double brackets, so that the deleted text is clearly identified. Amendments to the claims filed on or after July 30, 2003 must comply with 37 CFR 1.121(c). Appropriate correction is required.

Response to Arguments

5. The 112 rejections made in the previous Office Action to the claims are removed due to amendment.
6. Applicant's arguments with respect to claims 1-50 and 83-93 filed 18 August 2006 have been fully considered but they are not persuasive.

Brief summary of prior art of records:

Saito: discloses a locking mechanism that uses a fingerprint sensor to determine if there is a match, and if there is a match unlocks the protected object (see Abstract).

Scott: discloses a portable, hand held device for providing access utilizing a biometric sensor system (see Abstract).

Suminto: discloses an individual authentication system for performing authentication in multiple steps (see Abstract).

In response to applicant's argument on beginning on page 34, pages 43-44, and pages 45-47 with respect to claims 37-39, 40, 41, 43-50 "Saito, however, does not teach, disclose or suggest ... wherein the fingerprint authentication token is independent of the main body and physically separated from the main body". The Examiner does not agree, Saito teaches that the logic element and other elements of the invention can be distributed instead of integrated, in col. 2, lines 48-54. This inherently means that the units can be physically separated from the main body. Saito also provides some examples of the invention, and explains how these elements can be physically separated see col. 22, lines 35-44 a card can contain the sensing and control logic and transmit this information to the data receiving unit. In addition see figures 31-33 and 45 all of which show how the signal from the sensing unit can be transmitted to the locking/unlocking mechanism.

In response to applicant's argument on page 36, "Saito does not teach a second step of unlocking the door on the basis of matching ... physically separated from the body". The Examiner disagrees with this argument and notes the rejection previously provided show this limitation in Saito col. 2, lines 1-11 as well as the physically separated as explained above.

In response to applicant's argument on page 36, "Saito does not teach, disclose or suggest the limitation in claims 39 and 46 of each time the door is locked the fingerprint image received from the authentication token is stored in the storage means". The Examiner disagrees with argument and notes the below rejection shows this as well as Saito col. 9, lines 28-37 which explains the invention has a means of recording the fingerprint received.

In response to applicant's argument beginning on page 37, pages 39-41, and pages 43-45, with respect to claims 1-2, and 4-20, "Applicant's amended claim 1 and 10 contains the limitations of ... for converting data format of the communication data from said communication unit into a predetermined data format and transmitting the communication data to the device, wherein said personal collation unit and communication unit are integrated ... Scott, however, does not teach, disclose or suggest conversion of the data format, which is different from encrypting data. That is, Scott does not teach, disclose or suggest "a protocol conversion unit for converting data format of the communication data from said communication unit into a predetermined data format and transmitting the communication data to the device". The Examiner disagrees with the argument and notes in addition to encryption Scott teaches how the fingerprint is captured utilizing processing circuits where templates for the captured fingerprint are generated which are later used for finger print matching (see col. 9, lines 8-27).

In response to applicant's argument on page 38, "Scott does not teach, disclose, or suggest "the dynamic information changes each time it is generated". The Examiner disagrees with argument and notes that Scott teaches the dynamic information changes with time in col. 5, lines 49-58, because the random number changes with time.

In response to applicant's argument on page 38, "Scott, however, does not teach, disclose, or suggest "when the collation result indicates that the authentication is successful, outputting the authentication data to said encryption circuit, and when the collation result indicates that the authentication fails, outputting the authentication data to said first communication circuit". The Examiner disagrees with argument and notes Scott teaches that the authentication data is outputted to the encryption circuit in col. 2, lines 22-39.

In response to applicant's argument on page 38, "Scott, however, does not teach, disclose, or suggest "when the collation result indicates that the authentication is successful, instructing said encryption circuit to generate the encrypted data, and when the collation result indicates the authentication fails, outputting data whose number of digits is different from that of the encrypted data that would be produced if the authentication was successful to said first communication circuit". The Examiner disagrees with argument and notes Scott teaches if the authentication fails the process ends, this inherently means that the number of digits would be different.

In response to applicant's arguments beginning on page 41, 'claim 25 limitations of the authentication token stores in advance a password of the authentication token and token identification information for identifying the authentication token, performs collation on the bases of the biometrical information detected ... Neither Scott, Sumino, and therefore, not the combination of the two, teach disclose or suggest all of Applicant's claims 1, 10, 21, 25, 29 and 33 limitations, as listed above'. The Examiner disagrees the limitation of claim 25 are taught in the combination of '260 and '338. The '260 references teaches that authentication is provided

using the biometrical information of the user. The authentication stores a password in advance is taught in '338. The collation of information is done with the combination of '230 and '338.

In response to applicant's arguments beginning on page 42, 'claim 29 limitations of in the service providing apparatus, storing token identification information ... Neither Scott, Sumino, and therefore, not the combination of the two, teach disclose or suggest all of Applicant's claims 1, 10, 21, 25, 29 and 33 limitations, as listed above'. The Examiner disagrees the limitation of claim 29 are taught in the combination of '260 and '338. The '260 references teaches that authentication is provided using the biometrical information of the user. The authentication stores a password in advance is taught in '338. The collation of information is done with the combination of '230 and '338.

In response to applicant's arguments beginning on page 42, 'claim33 limitations of in the service providing apparatus, storing token identification information ... Neither Scott, Sumino, and therefore, not the combination of the two, teach disclose or suggest all of Applicant's claims 1, 10, 21, 25, 29 and 33 limitations, as listed above'. The Examiner disagrees the limitation of claim 29 are taught in the combination of '260 and '338. The '260 references teaches that authentication is provided using the biometrical information of the user. The authentication stores a password in advance is taught in '338. The collation of information is done with the combination of '230 and '338.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. **Claims 37-39 and 44-46** are rejected under 35 U.S.C. 102(e) as being anticipated by Saito et al. U.S. Patent No. 6,980,672 (hereinafter '672).

As to independent claim 44, “A lock/unlock method for a biometrical information authentication storage which locks or unlocks a door of a main body in storing an article in the main body or taking out the article stored in the main body, and also unlocks the door on the basis of authentication of biometrical information of a user, comprising: the first step of unlocking the door on the basis of matching between stored information stored in storage means in advance and detected information from a sensor for detecting the biometrical information of the user; and processing the first step comprises a second step of unlocking the door on the basis of matching between the stored information in the storage means and a fingerprint image from a fingerprint from a fingerprint authentication token having the sensor for detecting the fingerprint image of the user as the biometrical information” is taught in '672 col. 2, lines 1-11;

“where the token is independent of the main body and physically separated from the main body” Saito teaches that the logic element and other elements of the invention can be distributed instead of integrated, in col. 2, lines 48-54. This inherently means that the units can

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be physically separated from the main body. Saito also provides some examples of the invention, and explains how these elements can be physically separated see col. 22, lines 35-44 a card can contain the sensing and control logic and transmit this information to the data receiving unit. In addition see FIGs 31-33 and 45 all of which show how the signal from the sensing unit can be transmitted to the locking/unlocking mechanism.

As to dependent claim 45, “wherein the storage means stores a fingerprint image of the user as the biometrics information, wherein each user has a fingerprint authentication token” is shown in ‘672 col. 2, lines 1-11, note ‘fingerprint authentication token’ inherently is ‘fingerprint data’.

As to dependent claim 46, “ wherein processing in the second step comprises a third step of, when the fingerprint image of the user, which is transmitted from the fingerprint authentication token, is received in storing the article in the main body, locking the door and storing the received fingerprint image in the storage means” is disclosed in ‘672 col. 2, lines 48-54;

“wherein each time the door is locked the fingerprint image received from the authentication token is stored in the storage means” is taught in ‘672 col. 9, lines 27-37;

“and the fourth step of matching the fingerprint image stored in the storage means with the fingerprint transmitted from the fingerprint authentication token, and unlocking the door when the fingerprint image of the user, which is transmitted from the fingerprint authentication token, is received in taking out the article stored in the main body, and the received fingerprint image matches the stored fingerprint image in the storage means” is taught in ‘672 col. 3, lines 15-39.

As to independent claim 37, this claim is directed to a process for to executing the authentication procedure of claim 44; therefore it is rejected along similar rationale.

As to dependent claims 38 and 39, these claims contain substantially similar subject matter as claims 45 and 46; therefore they are rejected along similar rationale.

9. **Claims 1-2, 4-6, 8, 83-86** are rejected under 35 U.S.C. 102(e) as being anticipated by Scott et al. U.S. Patent No. 6,484,260 (hereinafter '260).

As to independent claim 1, “An authentication token which is normally held by a user and, when the user is to use a device for executing predetermined processing in accordance with authentication data of the user, connected to the device to perform user authentication on the basis of biometrical information of the user, comprising: a personal collation unit including a sensor for detecting the biometrical information of the user and outputting a detection result as sensing data, a storage unit which stores in advance registered data to be collated with the biometrical information of the user, and a collation unit for collating the registered data stored in said storage unit with the sensing data from said sensor and outputting a collation result as authentication data representing a user authentication result; a communication unit for transmitting the authentication data from said personal collation unit to the device as communication data, wherein said personal collation unit and communication unit are integrated” is taught in '260 col. 1, line 46 through col. 2, line 21;

“and a protocol conversion unit for converting data format of the communication data from said communication unit into a predetermined data format and transmitting the

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communication data to the device” Scott teaches how the fingerprint is captured utilizing processing circuits where templates for the captured fingerprint are generated which are later used for finger print matching see col. 9, lines 8-27, note the processing circuits inherently are the protocol conversion unit, the predetermined data format inherently are the templates.

As to dependent claim 2, “wherein said storage unit further stores in advance user information unique to the user, which is to be used for processing in the device, and said collation unit outputs the authentication data containing the user information read out from said storage unit” is shown in ‘260 col. 2, lines 15-43.

As to dependent claim 4., “further comprising a radio unit for transmitting the communication data from said communication unit to the device through a radio section” is taught in ‘260 col. 7, lines 35-58.

As to dependent claim 5., “ further comprising a radio unit for transmitting the communication data from said protocol conversion unit to the device through a radio section” is shown in ‘260 col. 7, lines 35-38.

As to dependent claim 6, “further comprising a battery for supplying power” is disclosed in ‘260 col. 6, lines 29-39.

As to dependent claim 8, “wherein said storage unit has, in addition to a storage area for storing the registered data, at least one storage area for storing another information” is taught in ‘260 col. 2, lines 27-38.

As to dependent claim 83, “wherein said token further comprises an encryption circuit for encrypting data generated from the authentication data and dynamic information generated by the device and transmitted using a key registered in advance, and

said communication circuit transmits to the device encrypted data generated by said encryption circuit” is shown in ‘260 col. 2, lines 22-39;

“wherein the dynamic information changes each time it is generated” is disclosed in ‘260 col. 5, lines 49-58, because the random number changes with time.

As to dependent claim 84, “wherein said token further comprises a result determination circuit for, when the collation result indicates that the authentication is successful, outputting the authentication data to said encryption circuit, and when the collation result indicates that the authentication fails, outputting the authentication data to said first communication circuit, and an encryption circuit for, in accordance with the authentication data from said result determination circuit, encrypting dynamic information transmitted from the device using a key registered in advance, adding obtained encrypted data to the authentication data, and outputting the encrypted data, and said communication circuit transmits to the device the authentication data with the encrypted data from said encryption circuit or the authentication data from said result determination circuit” is disclosed in ‘260 col. 2, lines 22-39.

Ast to dependent claim 85, “wherein said token further comprises an encryption circuit for encrypting dynamic information transmitted from the device using a key registered in advance and outputting obtained encrypted data to said first communication circuit as data, and a first result determination circuit for, when the collation result indicates that the authentication is successful, instructing said encryption circuit to generate the encrypted data” is taught in ‘260 col. 2, lines 53 through col. 3, line 3;

“and when the collation result indicates that the authentication fails, outputting data whose number of digits is different from that of the encrypted data that would be produced if the authentication was successful to said first communication circuit and said first communication circuit transmits to the device the data from said encryption circuit or the data from said first result determination circuit” is shown in ‘260 col. 3, lines 29-65 (note, Scott teaches if the authentication fails the process ends, this inherently means that the number of digits would be different).

As to dependent claim 86, “wherein said token further comprises an ID storage circuit for storing identification information of said authentication token registered in advance, and said first communication circuit transmits to the device the identification information stored in said ID storage circuit” is disclosed in ‘260 col. 3, lines 23-28.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Claims 9-18, 20-36, and 87-93,** are rejected under 35 U.S.C. 103(a) as being unpatentable over ‘260 in further view of Sumino U.S. Patent No. 6,957,338 (hereinafter ‘338).

As to independent claim 10, “An authentication system for executing user authentication, which is necessary for use of a device for executing predetermined processing, by using biometrical information of a user, comprising: an authentication token which is normally held by the user and, when the user is to use said device, the authentication token connected to said device and to perform user authentication on the basis of the biometrical information of the user, said authentication token comprising a personal collation unit including a sensor for detecting the biometrical information of the user and outputting a detection result as sensing data, a storage unit which stores in advance registered data to be collated with the biometrical information of the user, and a collation unit for collating the registered data stored in said storage unit with the sensing data from said sensor and outputting a collation result representing a user authentication result as authentication data, and a first communication unit for transmitting the authentication data from said personal collation unit to said device as communication data, said personal collation unit and communication unit being integrated” is taught in ‘260 col. 1, line 46 through col. 2, line 21;

the following is not taught in ‘260: **“and said device comprising a second communication unit for receiving the communication data transmitted from said authentication token and outputting the data as the authentication data, and a processing unit for executing the predetermined processing on the basis of the collation result contained in the authentication data from said second communication unit”** however ‘338 teaches “a collating unit for respectively collating the biological information and the password output” in col. 1, lines 63-67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of '260 a portable personal identification system utilizing biometrics to include a means to store passwords in the personal devices as taught in '338. One in the art would have been motivated to perform such a modification because as indicated by '338 a need exist to combine the authentication cards used that store passwords with biometrics to insure security (see '338 col. 1, lines 32-51 "However, even in the individual authentication system using the IC card, if both the IC card (a physical object) and the password (individual knowledge) are stolen, the safety is not secured ... an object of the present invention is to provide an individual authentication system by which the data processing device which needs individual authentication can be used and managed with higher security").

As to dependent claim 12, "wherein said storage unit of said authentication token stores in advance user information unique to the user, which is to be used for processing in said device, said collation unit of said authentication token outputs the authentication data containing the user information read out from said storage unit, and said processing unit of said device executes processing using the user information contained in the authentication data from said second communication unit" is taught in '338 col. 1, lines 54-67. The motivation to combine '260 and '338 is the same as stated above in claim 10.

As to dependent claim 9, "wherein said at least one storage area for storing another information includes a storage area for storing personal information of the user and a storage area for storing service information" is shown in '338 col. 1, lines 54-67. The motivation to combine '260 and '338 is the same as stated above in claim 10.

As to dependent claims 11, 13-18, 20, and 87-93, these claims contain substantially similar subject matter as claims 3- 9 and 83-86 above; therefore they are rejected along similar rationale.

As to independent claim 25, “An authentication method of executing user authentication, which is necessary when a user is to use a service providing apparatus for providing a predetermined service, between the service providing apparatus and provides the service to the user on the basis of a collation result and an authentication token for executing the user authentication using biometrical information of the user, wherein” is taught in ‘260 col. 1, line 46 through col. 2, line 21; the following is not taught in ‘260:

“the authentication token stores in advance a password of the authentication token and token identification information for identifying the authentication token, performs collation on the basis of the biometrical information detected from the user to check whether the user is an authentic user and when a collation result indicates that collation is successful, transmits the password and token identification information to the service providing apparatus as communication data, and authentication token in advance in a first database in association with each other, collates the password contained in the communication data received from the authentication token with a password obtained from the first database using the token identification information as a key” however ‘338 teaches “an individual authentication card for storing biological information and a password for identifying a registered user” (registered is interpreted to mean the information was provided in advance) in col. 1, lines 54-67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of '260 a portable personal identification system utilizing biometrics to include a means to store passwords in the personal devices as taught in '338. One in the art would have been motivated to perform such a modification because as indicated by '338 a need exist to combine the authentication cards used that store passwords with biometrics to insure security (see '338 col. 1, lines 32-51 "However, even in the individual authentication system using the IC card, if both the IC card (a physical object) and the password (individual knowledge) are stolen, the safety is not secured ... an object of the present invention is to provide an individual authentication system by which the data processing device which needs individual authentication can be used and managed with higher security").

As to dependent claim 26, "wherein the token identification information and password are registered in the first database in association with each other from a registration apparatus connected to the service providing apparatus through a communication network" is disclosed in '260 col. 5, lines 55-58 "The personal identification device can be used in conjunction with conventional telephone lines or computer network communications".

As to dependent claim 27, "wherein the service providing apparatus causes a password generation circuit to generate a new password, transmits the new password to the authentication token through the second communication unit, and updates the password stored in the first database, and the authentication token updates the password stored in advance by the new password received from the service providing apparatus" is taught in

'260 col. 3, lines 29-67 (note the generated random number is interpreted to have the same meaning as the new password).

As to dependent claim 28, “wherein the service providing apparatus stores device identification information for identifying the service providing apparatus in advance, and transmits the device identification information to the authentication token when the authentication token is connected, and the authentication token stores in advance the password and the device identification information for identifying the service providing apparatus in a second database in association with each other, and uses, as the password to be transmitted to the service providing apparatus, a password obtained from the second database using the device identification information received from the service providing apparatus as a key” is shown in '260 col. 3, lines 29-67.

As to independent claim 29, this claim is directed to a recording medium for causing a computer to execute the authentication procedure of claim 25; therefore it is rejected along similar rationale.

As to dependent claims 30-32, these claims contain substantially similar subject matter as claims 26-28; therefore they are rejected along similar rationale.

As to independent claim 33, this claim is directed to a program for causing a computer to execute the authentication procedure of claim 25; therefore it is rejected along similar rationale.

As to dependent claims 34-36, these claims contain substantially similar subject matter as claims 26-28; therefore they are rejected along similar rationale.

As to independent claim 21, this claim contains the limitations previously presented in claims 1, 10, and 25; therefore it is rejected along similar rationale.

As to dependent claims 22-24, these claims contain substantially similar limitations as dependent claims 11, 27, and 28; therefore they are rejected along similar rationale.

12. **Claims 40-43 and 47-50** are rejected under 35 U.S.C. 103(a) as being unpatentable over '672 in further view of '260.

As to dependent claim 47, "locking the door" is shown in '672 col. 2, lines 2-3; the following is not taught in '672:

"wherein processing in the second step comprises a fifth step of, when the fingerprint authentication token is inserted into the main body in storing the article in the main body" however '260 teaches "A slot in the housing receives a removable smart card that includes a memory" in col. 2, lines 54-59;

"generating a password, storing the password in the storage means, transmitting the password to the fingerprint authentication token, and causing the fingerprint authentication token to store the password, and a sixth step of unlocking the door when a password based on matching between a registered fingerprint image and the fingerprint image detected by the sensor and output from the fingerprint authentication token is received in taking out the article stored in the main body, and the received password matches the password in the storage means" however '260 teaches "Other steps include generating, at the host facility, a random number signal representing a random number in response to the ID code signal only if the ID code signal is representative of the ID code of the device controlled by one of the registered persons" (note the "password" is interpreted to have the same meaning as the "random number") in col. 3, lines 29-65.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of '672 a biometrical authentication method to include a means to exchange passwords as taught in '260. One in the art would have been motivated to perform such a modification because a method is needed to combine access codes used in the past with biometric identification as indicated by '260 in order to protect the biometric information and scol. 1, lines 17-43 "Each of these security systems can be operated by any person who is in possession of the fixed code ... Therefore, each of these systems is inherently insecure ... it there is a match, the requesting person is allowed entry or access to the host facility ... However, if the set of authorized person is large, such a system would require a huge database to store the fingerprint images ... and the identification process would become slower".

As to dependent claim 48, "wherein processing in the second step comprises a seventh step of, when a password based on matching between a registered fingerprint image and the fingerprint image detected by the sensor and output from the fingerprint authentication token is received in storing the article in the main body, locking the door, and storing the received password in the storage means, and the eighth step of unlocking the door when the password based on matching between the registered fingerprint image and the fingerprint image detected by the sensor and output from the fingerprint authentication token is received in taking out the article stored in the main body, and the received password matches the password in the storage means" is taught in '260 col. 3, lines 29-65.

As to dependent claim 49, "wherein the storage further comprises a plurality of storage sections capable of independently storing articles and having corresponding doors" is shown in '260 col. 12 line 63 through col. 13, line 11;

“in a ninth step is designated, and the fingerprint authentication token is inserted into the main body” is shown in ‘260 col. 2, lines 54-59;

“locking the door,” is disclosed in ‘672 col. 2, lines 2-3;

“generating a password, storing the password and the door number in the storage means, transmitting the password and the door number to the fingerprint authentication token, and causing the fingerprint authentication token to store the password and the door number” is taught in ‘260 in col. 3, lines 29-65;

“and a password based on matching between a registered fingerprint image and the fingerprint image detected by the sensor and output from the fingerprint authentication token is received, and the received password matches the password in the storage means” is shown in ‘672 col. 18, lines 17-33;

“and processing in the second step comprises the ninth step of, when a corresponding door is closed in storing an article in a storage section, displaying a number of the door” and **“a 10th step of, when the door number displayed on the basis of processing”** and **“when the door number displayed on the basis of processing in a 11th step is designated”** and **“the 11th step of, when the fingerprint is authentication token is inserted into the main body in taking out the article stored in the storage section, displaying the door number stored in the fingerprint authentication token, and a 12th step of unlocking the door”** and however ‘672 teaches the in col. 2, lines 2-3 that the lock equipment has a mechanism to lock or unlock the object that is secured; ‘672 teaches in col. 10, lines 12-29 how the invention can be used on a trunk allowing the authorized person to lock and un-lock the trunk by the correct placement of their authorized fingerprint; 672 teaches in col. 11, line 63 through col. 12, line 13 how the

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system has an LED for displaying messages in combination with the logic received from the locking mechanism and biometric inputs, it would be obvious to incorporate the ability for an LED to display a room number. This feature is similar to the other example provided where a user can determine which locker they utilized in the coin operated locker by using their fingerprint and watch the for a flashing LED see col. 18, lines 17-23.

As to dependent claim 50, “wherein the method further comprises a 13th step of checking coins of predetermined amount, which are put in by the user in storing the article, and processing in the first step comprises a 14th step of locking the door when that the coins of the predetermined amount are put in is checked on the basis of processing in the 13th step” is disclosed in 672 col. 18, lines 4-9.

As to dependent claims 40-43, these claims contain substantially similar subject matter as claims 47-50; therefore they are rejected along similar rationale.

13. **Claims 7 and 19**, are rejected under 35 U.S.C. 103(a) as being unpatentable over ‘260.

As to dependent claim 7, the following is not explicitly taught in ‘260: **“wherein said battery comprises a secondary battery charged by power supply from the device when said authentication token is connected to the device”** however ‘260 teaches “Referring now to FIGS. 4A-4D, one embodiment of a PID 6B, which includes all the features also shown in FIG. 1, includes a housing 44 similar in size to a personal pager or a small cellular telephone” in col. 8, lines 14-40 it is obvious that a PID which is similar to a cellular phone would include rechargeable batteries.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of ‘260 a portable personal identification system utilizing biometrics that stores passwords in the personal devices to include a means to re-charge the personal

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devices. One in the art would have been motivated to perform such a modification because as indicated by '260 the PID is similar in size to a cellular phone (see '260 col. 5, lines 16 et seq.) "The personal identification device is compact, being about the same size as an electronic pager. With advances in technology, it could be made even smaller. The personal identification device can be configured such that all the information that is associated with the user, i.e., the ID code, the personal encryption key, and the fingerprint template, is stored in a smart card, which can be transferred between identical devices having the image capture electronics, processing circuit, communication module and power supply. This enables the user to switch devices when one is worn out or broken without having to reregister".

As to dependent claim 19, this claim contains substantially similar subject matter as claim 7; therefore it is rejected along similar rationale.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is

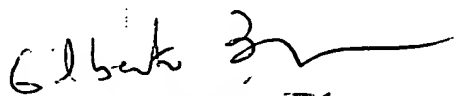
(571) 272-3842. The examiner can normally be reached from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques H. Louis-Jacques can be reached on (571) 272-6962. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ECT

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20 October 2006


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